

Joint Standing Committee on Utilities and Energy

LD 24

An Act to Amend the Charter of the South Berwick Sewer District

**P & S 2
EMERGENCY**

Sponsor(s)
MURPHY E
LEMONT

Committee Report
OTP-AM

Amendments Adopted
H-9

LD 24 proposed to amend the territorial limits of the South Berwick Sewer District.

Committee Amendment "A" (H-9) proposed to add an emergency preamble and clause to the bill.

Enacted law summary

Private and Special Law 2001, chapter 2 amends the territorial limits of the South Berwick Sewer District.

This law was enacted as an emergency measure effective on April 6, 2001.

LD 33

An Act to Lower In-state Phone Costs for Rural Maine

PUBLIC 106

Sponsor(s)
LONGLEY

Committee Report
OTP-AM

Amendments Adopted
S-76

LD 33 proposed to require the Public Utilities Commission, on petition, to expand a basic service calling area that encompasses only a single exchange.

Committee Amendment "A" (S-76) proposed to replace the bill. This amendment:

1. proposed to allow 50 or more customers within a single-exchange basic service calling area to petition the Public Utilities Commission to expand that basic service calling area;
2. proposed to require the commission, upon receipt of the petition, to either expand the calling area or to explain why it is not expanding the calling area;
3. proposed to permit the commission to allow affected carriers to recover any costs associated with the expansion of the calling area; and
4. proposed to require the commission to adopt rules establishing standards for expanding single-exchange calling areas.

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Enacted law summary

Public Law 2001, chapter 106:

1. Allows 50 or more customers within a single-exchange basic service calling area to petition the Public Utilities Commission to expand that basic service calling area;
2. Requires the commission, upon receipt of the petition, to either expand the calling area or to explain why it is not expanding the calling area;
3. Permits the commission to allow affected carriers to recover any costs associated with the expansion of the calling area; and
4. Requires the commission no later than 30 days after the effective date of this Act to adopt rules establishing standards for expanding single-exchange calling areas.

LD 122

An Act to Revise the Hampden Water District Charter

P & S 5

Sponsor(s)
DUPREY

Committee Report
OTP-AM

Amendments Adopted
H-8

LD 122 proposed to amend the terms of the trustees of the Hampden Water District and to provide that the compensation of the trustees and the treasurer of the board of trustees will be determined by the board of trustees.

Committee Amendment "A" (H-8) proposed to make technical corrections to the bill, remove obsolete language and address some technical formatting issues in the Hampden Water District charter. The amendment also proposed to exempt the district from a provision of the Maine Revised Statutes, Title 35-A that would otherwise conflict with that portion of the bill that provides that the trustees of the district set their own salary.

Enacted law summary

Private and Special Law 2001, chapter 5 amends the terms of the trustees of the Hampden Water District and provides that compensation for the trustees and the treasurer of the board of trustees will be determined by the board of trustees.

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LD 157

An Act to Clarify Marketing Standards for Telephone Utilities and Competitive Electricity Providers

PUBLIC 71

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE W	OTP-AM	H-93

LD 157 proposed to clarify that provisions regarding consumer protection contained in the Maine Revised Statutes, Title 35-A and in rules promulgated by the Public Utilities Commission, govern the practices of telephone utilities regulated by the Public Utilities Commission and competitive electricity providers licensed by the Public Utilities Commission and that the provisions of the consumer solicitation sales law and the transient seller law do not.

Committee Amendment "A" (H-93) proposed to replace the bill. This amendment proposed to remove a conflict of laws. Under this amendment, current provisions of law and implementing rules regulating the sale of electricity and the telephone practices known as "slamming" and "cramming" would be exempted from the provision of the consumer solicitation sales law that requires a consumer's written authorization to consummate certain sales made in person or over the phone. Under current provisions of law and implementing rules regulating the sale of electricity and the telephone practices known as "slamming" and "cramming," oral authorization obtained by an independent 3rd party and, in the case of the law regulating slamming, toll-free electronic authorization are also permitted. This amendment proposed to preserve these provisions. Other provisions of the consumer solicitation sales law would continue to apply in all these contexts. The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 71 removes a conflict of laws. Under this law, current provisions of law and implementing rules regulating the sale of electricity and the telephone practices known as "slamming" and "cramming" are exempted from the provision of the consumer solicitation sales law that requires a consumer's written authorization to consummate certain sales made in person or over the phone. Under current provisions of law and implementing rules regulating the sale of electricity and the telephone practices known as "slamming" and "cramming," oral authorization obtained by an independent 3rd party and, in the case of the law regulating slamming, toll-free electronic authorization are also permitted. This amendment preserves these provisions. Other provisions of the consumer solicitation sales law continue to apply in all these contexts.

LD 240

An Act to Permit an Unspent Balance in the Public Advocate Regulatory Fund to be Carried Forward in Full for Fiscal Years 2000-01 and 2001-02

PUBLIC 28

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE W FERGUSON	OTP-AM	H-31

LD 240 proposed to allow the Public Advocate to make use of the entire unspent balance from fiscal years 2000-01 and 2001-02. Only 10% of the unspent balance may be carried forward under current law.

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Committee Amendment "A" (H-31) proposed to add a fiscal note to the bill.

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Enacted law summary

Public Law 2001, chapter 28 enables the Public Advocate to make use of an unspent balance carried forward from fiscal years 2000-01 and 2001-02 in full, rather than merely the 10% portion of that balance that is authorized under current law.

LD 288

An Act to Clarify Access to Private Lines in a Public Way

**PUBLIC 110
EMERGENCY**

Sponsor(s)
TRACY

Committee Report
OTP-AM

Amendments Adopted
H-142

LD 288 proposed to repeal the requirement that a person who is not a transmission and distribution utility must post a surety bond prior to constructing and maintaining its lines in, upon, along or under the roads, streets and public ways maintained by any municipality.

Committee Amendment "A" (H-142) proposed to replace the bill. This amendment proposed to accomplish the following:

1. To amend the law relating to the construction of private lines in the public way and to expand its application to state-regulated roads;
2. To refine the bonding requirement for persons building private lines in a public way;
3. To make the requirement that the Public Utilities Commission issue a finding that a private line is not a duplication of existing facilities and does not interfere with the adequate and safe delivery of electricity to others contingent upon a transmission and distribution utility's raising these issues as an objection to the construction of a private line;
4. To establish that a transmission and distribution utility may not refuse to energize a line if the line meets the utility's standards, provided the standards are the same as the standards the utility applies to its own lines, and the person owning the line reimburses the utility for connecting the line to the utility's system; and
5. To add an emergency preamble and emergency clause and a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 110 accomplishes the following.

1. It amends the law relating to the construction of private lines in the public way and expands its application to state-regulated roads.

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2. It refines the bonding requirement for persons building private lines in a public way.
3. It makes the requirement that the Public Utilities Commission issue a finding that a private line is not a duplication of existing facilities and does not interfere with the adequate and safe delivery of electricity to others contingent upon a transmission and distribution utility's raising these issues as an objection to the construction of a private line.
4. It establishes that a transmission and distribution utility may not refuse to energize a line if the line meets the utility's standards, provided the standards are the same as the standards the utility applies to its own lines, and the person owning the line reimburses the utility for connecting the line to the utility's system.

This law was enacted as an emergency measure effective on May 9, 2001.

LD 304	An Act Regarding the Franchises of Transmission and Distribution Electric Companies	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FERGUSON SHERMAN	ONTP	

LD 304 proposed to provide that if a transmission and distribution utility furnishes service to another transmission and distribution utility and if it is not subject to regulatory limits on its rate of return, it would not require approval from the Public Utilities Commission to furnish service.

LD 314	An Act to Require Notice to Telephone Customers in Maine Prior to Price Increases	PUBLIC 29
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARPENTER	OTP-AM	S-7

Currently, there are no provisions in Maine law requiring a telephone utility offering intrastate toll services to provide notice of an increase or decrease in price. LD 314 proposed to establish such a requirement and direct the Public Utilities Commission to adopt rules for its implementation.

Committee Amendment "A" (S-7) proposed to replace the bill. This amendment proposed to require a telephone utility offering intrastate toll service to provide prior written notice of any increase in the price for such service or change in terms or conditions for such service that would result in an increase in costs for any customer. The amendment also proposed to require the utility to file a tariff revision with the Public Utility Commission identifying the new price or the change in the terms or conditions of service. The amendment proposed to specify that failure to provide such notice would result in the increase in price or change in terms or conditions becoming invalid. Customers who are not provided the notice would be able to withhold payment for the increased prices, and a telephone utility that fails to provide the required notice must refund the excess payments. The amendment also proposed to require telephone utilities to provide notice to customers of the

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requirements of the law and of customer rights under it. The Public Utilities Commission would be directed to adopt implementing rules. This amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 29 requires a telephone utility offering intrastate toll service to provide prior written notice of any increase in the price for such service or change in terms or conditions for such service that would result in an increase in costs for any customer. The law also requires the utility to file a tariff revision with the Public Utility Commission identifying the new price or the change in the terms or conditions of service. The law specifies that failure to provide such notice results in the increase in price or change in terms or conditions being invalid. Customers who are not provided the notice may withhold payment for the increased prices, and a telephone utility that fails to provide the required notice must refund the excess payments. The law also requires telephone utilities to provide notice to customers of the requirements of the law and of customer rights under it. The Public Utilities Commission is directed to adopt implementing rules.

LD 316

**An Act to Authorize Representation by the Public Advocate of
Consumer Interests on Regional Decision-making Bodies**

**PUBLIC 27
EMERGENCY**

<u>Sponsor(s)</u> CARPENTER	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-8
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LD 316 proposed to allow the Public Advocate, when necessary, to serve as a voting member of a regional body that is directly concerned with matters affecting the price and quality of retail utility service in Maine, such as the New England Power Pool.

Committee Amendment "A" (S-8) proposed to clarify that if the Public Advocate serves as a voting member of a regional body such as the New England Power Pool, this does not create or constitute a conflict of interest. The amendment also proposed to add a fiscal note and an emergency to the bill.

Enacted law summary

Public Law 2001, chapter 27 allows the Public Advocate, when necessary, to serve as a voting member of a regional body that is directly concerned with matters affecting the price and quality of retail utility service in Maine, such as the New England Power Pool. The law provides that if the Public Advocate serves as a voting member of a regional body such as the New England Power Pool, this does not create or constitute a conflict of interest.

This law was enacted as an emergency measure effective on April 6, 2001.

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LD 357

An Act to Protect the State's Heating Oil Consumers

ONTP

<u>Sponsor(s)</u> GLYNN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 357 was a concept draft pursuant to Joint Rule 208. The bill proposed to study how the Legislature could establish an energy policy in the State that would protect consumers from the increasing costs of heating fuel. As proposed, the Legislature would work with the Finance Authority of Maine to develop a program that would offer low-interest loans or no-interest loans to fuel companies so that fuel companies could pass any savings on to the consumers.

LD 386

An Act Regarding the Use of Revenues Collected by the Public Utilities Commission

ONTP

<u>Sponsor(s)</u> MCDONOUGH RAND		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 386 proposed to make it unlawful for the Public Utilities Commission to pay dues from its budget to any regional or national organization without the explicit approval of the Legislature.

LD 390

An Act to Require Telephone Utility Participation in Enhanced 9-1-1

PUBLIC 53

<u>Sponsor(s)</u> BERRY D		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-78
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LD 390 proposed to require every telephone utility providing local exchange service in Maine to implement Enhanced 9-1-1 and to provide the necessary subscriber information to the E-9-1-1 system in a format established by Department of Public Safety, Emergency Services Communication Bureau rules. It also proposed to require each telephone utility and cellular or wireless telecommunications service provider to designate a contact person for all matters relating to E-9-1-1 service.

Committee Amendment "A" (H-78) proposed to do the following:

1. To change the term "local exchange telephone utility" to "local exchange carrier" and provide a definition of this term;
2. To provide that local exchange carriers and cellular and wireless providers must designate a primary contact person to work with the Emergency Services Communication Bureau but that that person may delegate the authority to others;

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3. To establish a penalty provision, administered by the Public Utilities Commission, for violations of the law;
4. To require the Emergency Services Communication Bureau to submit for review by the Joint Standing Committee on Utilities and Energy any rules it proposes to adopt pursuant to the Maine Revised Statutes, Title 25, section 2933; and
5. To add a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 53 requires every telephone utility providing local exchange service in Maine to implement Enhanced 9-1-1 and to provide the necessary subscriber information to the E-9-1-1 system in the format and frequency established by Department of Public Safety, Emergency Services Communication Bureau rules. It requires local exchange carriers and cellular and wireless providers to designate a primary contact person to work with the Emergency Services Communication Bureau but that that person may delegate the authority to others. It establishes a penalty provision, administered by the Public Utilities Commission, for violations of the law. It also requires the Emergency Services Communication Bureau to submit for review by the Joint Standing Committee on Utilities and Energy any rules it proposes to adopt pursuant to the Maine Revised Statutes, Title 25, section 2933.

LD 420

An Act to Strengthen Energy Conservation

CARRIED OVER

Sponsor(s)
SAVAGE W
FERGUSON

Committee Report

Amendments Adopted

LD 420 proposes to require the Public Utilities Commission to establish total conservation program expenditures for each transmission and distribution utility that account for relative levels of total conservation program expenditures in this State compared with other New England states that do not exceed .25 cents per kilowatt hour.

LD 435

**An Act to Amend the Charter of the Lewiston-Auburn Water
Pollution Control Authority**

P & S 6

Sponsor(s)
MAILHOT
DOUGLASS

Committee Report
OTP-AM

Amendments Adopted
H-22

LD 435 proposed to amend the Charter of the Lewiston-Auburn Water Pollution Control Authority to include Lewiston's Assistant City Administrator and Auburn's Assistant City Manager as board members under certain circumstances.

Committee Amendment "A" (H-22) proposed to remove language from the charter relative to the service of the City Administrator of Lewiston or the City Manager of Auburn on the board of the Lewiston-Auburn Water

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Pollution Control Authority in the event of the termination of their offices. This language would no longer be needed as the bill would amend the charter to include the Assistant Administrator and Assistant City Manager as board member in the event of such terminations.

Enacted law summary

Private and Special Law 2001, chapter 6 amends the Charter of the Lewiston-Auburn Water Pollution Control Authority to include Lewiston's Assistant City Administrator and Auburn's Assistant City Manager as board members under certain circumstances. It also removes language from the charter relative to the service of the City Administrator of Lewiston or the City Manager of Auburn on the board of the Lewiston-Auburn Water Pollution Control Authority in the event of the termination of their offices.

LD 483

An Act to Revise the Sewer Lien Laws

PUBLIC 319

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WINSOR	OTP-AM MAJ	H-460
BENNETT	OTP-AM MIN	

LD 483 proposed to revise the law concerning sanitary district liens in 2 ways.

1. It proposed to provide that a sanitary district lien must be placed on a mobile home and not on the land when the mobile home is located on the land of another person and the owner of the mobile home is directly obligated to the district to pay the sewer rate.
2. It proposed to require the district to notify the owner of the real estate subject to a lien prior to foreclosure in the same manner as current law requires a municipality to notify prior to foreclosure the owner of real estate on which a tax lien has been placed.

Committee Amendment "A" (H-460) proposed to do the following.

1. Remove that portion of the bill that requires that a sanitary district lien be placed on a mobile home;
2. Add to the provision of the bill requiring a district to notify a person of the impending foreclosure of any lien placed the person's property by establishing the form of the notice; and
3. Add a mandate preamble to the bill.

Enacted law summary

Public Law 2001, chapter 319 revises the law concerning sanitary district liens. It requires a district to notify the owner of real estate subject to a lien prior to foreclosure in the same manner as a municipality must provide such notice prior to foreclosure of a tax lien.

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LD 486

An Act to Implement a State Universal Service Fund

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLWELL FERGUSON	ONTP	

LD 486 proposed to require that a state universal service fund, or USF, be established to reimburse telephone companies for the reduction of access rates required by the Maine Revised Statutes, Title 35-A, section 7101-B.

LD 495

An Act to Amend the Small Power Production and Cogeneration Laws

PUBLIC 76

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS	OTP-AM	S-38

LD 495 proposed to direct the Public Utilities Commission to promote renewable energy and cogeneration at regional and federal forums and as the commission implements the State's electric industry restructuring laws.

Committee Amendment "A" (S-38) proposed to ensure that the Public Utilities Commission is not directed to promote the State's renewable power producers and cogenerators at the expense of the interests of competition, consumers of electricity or economic development in this State.

Enacted law summary

Public Law 2001, chapter 76 requires the Public Utilities Commission to promote renewable power and cogeneration in positions the commission takes at regional and federal forums and as the commission implements the State's electric industry restructuring laws, provided that the promotion of renewable power and cogenerators is not at the expense of the interests of competition, consumers of electricity or economic development in this State.

LD 503

An Act to Authorize the Town of Bar Harbor to Acquire the Bar Harbor Water Company

**P & S 16
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOLDTHWAIT KOFFMAN	OTP-AM MAJ ONTP MIN	S-45

LD 503

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This legislation proposed to expand the eminent domain authority of the Town of Bar Harbor to allow it to acquire the property assets including personal property assets of the Bar Harbor Water Company. This bill proposed to allow the town to operate a water supply system.

Committee Amendment "A" (S-45) proposed to replace the bill. This amendment proposed to grant authority to the Town of Bar Harbor to acquire by purchase or eminent domain the Bar Harbor Water Company.

This amendment also proposed to add a fiscal note to the bill.

House Amendment "A" to Committee Amendment "A" (H-175) proposed to remove from the committee amendment the grant of authority to the Town of Bar Harbor to acquire by eminent domain the Bar Harbor Water Company. This amendment proposed to retain that portion of the amendment that authorizes the town's acquisition of the water company by purchase.

Enacted law summary

Private and Special Law 2001, chapter 16 grants authority to the Town of Bar Harbor to acquire by purchase or eminent domain the Bar Harbor Water Company.

This law was enacted as an emergency measure effective on May 9, 2001.

LD 570

An Act to Remove Redundant Written Authorization Requirements

PUBLIC 40

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLWELL MICHAUD MH	OTP-AM	H-42

LD 570 proposed to remove the requirement for multiple written authorizations in order to install new utility services. Written authorization would only be required for the first utility installing service. Any subsequent utility installing services would not be required to obtain written authorization in order to install new services.

Committee Amendment "A" (H-42) proposed to make it clear that the first utility to install service to a lot in a subdivision or structure in a shoreland zone must comply with the written authorization requirements of current law.

Enacted law summary

Public Law 2001, chapter 40 removes the requirement for multiple written authorizations in order to install new utility services. Written authorization is only required for the first utility installing service. Any subsequent utility installing services is not required to obtain written authorization in order to install new services.

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LD 585

An Act Concerning Telemarketing

PUBLIC 276

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONGLEY	OTP-AM MAJ	S-123 MILLS
COLWELL	ONTP MIN	S-173 MILLS
		S-91

LD 585 proposed to remove telemarketers from the provisions of Maine's consumer solicitation sales laws that require the contents of any telemarketer's contract be in writing, provide that the consumer has a right of avoidance and require that the telemarketer comply with transient sellers requirements, including the requirement that a telemarketer not call persons who have put their name on the Direct Marketing Association do-not-call list.

Committee Amendment "A" (S-91), which is the majority report of the Joint Standing Committee on Utilities and Energy, proposed to replace the bill and amend the title to reflect the changes to the bill. This amendment proposed to exempt affiliates and agents of supervised lenders, to the extent they are selling or offering to sell the services of the supervised lender, from the provisions of the law relating to transient sellers of consumer merchandise. It also proposed to exempt supervised lenders and their affiliates and agents, to the extent they are selling or offering to sell the services of the supervised lender, from the law relating to consumer solicitation sales.

Senate Amendment "A" to Committee Amendment "A" (S-122) proposed to amend the committee amendment by removing the exemption from the laws governing consumer solicitation sales by a supervised lender or an agent or affiliate of a supervised lender to include only the sale of a credit card.

Senate Amendment "B" to Committee Amendment "A" (S-123) proposed to amend the committee amendment by refining the exemption from the laws governing transient sales by an agent or affiliate of a supervised lender.

Senate Amendment "C" to Committee Amendment "A" (S-124) proposed to amend the committee amendment by refining the exception from the consumer solicitation sales law. This amendment proposed to exempt supervised lenders selling credit cards from that law, provided the sales are not completed during the initial contact with the consumer but are completed only after the consumer undertakes an affirmative act indicating the consumer's acceptance of the terms of the sale, such as initiating a call to activate the credit card.

Senate Amendment "D" to Committee Amendment "A" (S-165) proposed to amend the committee amendment by exempting supervised lenders and their affiliates and agents from the consumer solicitation sales law only to the extent that they are selling credit services and the transaction requires a separate, additional affirmation by the consumer.

Senate Amendment "E" to Committee Amendment "A" (S-173) proposed to amend the committee amendment to provide that lenders and their affiliated telemarketing firms are exempt from the consumer solicitation sales law only to the extent that they are selling credit services and that the transaction requires an acceptance initiated by the consumer.

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Enacted law summary

Public Law 2001, chapter 276 exempts lenders and their affiliated telemarketing firms from the consumer solicitation sales law to the extent that they are selling credit services and that transaction requires an acceptance initiated by the consumer.

LD 620

An Act to Amend the Charter of the Gray Water District

P & S 11

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOSTER KILKELLY	OTP-AM	H-86

LD 620 proposed to clarify the election procedures of the Gray Water District.

Committee Amendment "A" (H-86) proposed to make clear that the terms of the current trustees of the Gray Water District are not affected by this bill.

Enacted law summary

Private and Special Law 2001, chapter 11 clarifies the election procedures of the Gray Water District and makes clear that the terms of the current trustees of the Gray Water District are not affected.

LD 637

An Act to Amend the Charter of the Portland Water District to Conform to Changes in the Municipal Election Date for the City of Portland

**P & S 7
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUMMINGS	OTP	

In November 2000, the City of Portland changed the date of its municipal elections from May to November. LD 637 proposed to make a conforming change in the charter of the Portland Water District with respect to trustees elected from the City of Portland.

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Enacted law summary

Private and Special Law 2001, chapter 7 makes a change in the charter of the Portland Water District with respect to the date on which trustees are elected from the City of Portland in order to conform to the change in date of the City of Portland's municipal elections.

This law was enacted as an emergency measure effective on April 10, 2001.

LD 646

An Act to Establish the Maine Energy Advisory Council

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE TREAT		

LD 646 proposes to establish the Maine Energy Advisory Council, which will advise and make recommendations to the State Planning Office concerning energy issues.

LD 662

An Act to Remove Barriers to Providing Natural Gas Services

PUBLIC 124

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'GARA BERRY D	OTP-AM	S-64

Present law does not permit a gas utility authorized and serving customers in the State to establish service in or to any municipality within the State without the approval of the Public Utilities Commission even if no other gas utility is furnishing or is authorized to furnish gas service. LD 662 proposed to remove the approval requirement.

Committee Amendment "A" (S-64) proposed to replace the bill with new language to achieve the intent of the bill. This amendment proposed to provide that:

1. A gas utility that has received Public Utilities Commission approval to serve somewhere in the State is not required to seek further approval from the commission to serve elsewhere in the State except in towns in which another gas utility is actually providing similar service; and
2. The commission may by order limit a gas utility to a certain area of the State.

Enacted law summary

Public Law 2001, chapter 124 provides that a gas utility that has received Public Utilities Commission approval to serve somewhere in the State is not required to seek further approval from the commission to serve elsewhere in the

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State except in towns in which another gas utility is actually providing similar service. The commission may by order limit a gas utility to a certain area of the State.

LD 741 **An Act to Mitigate Volatile Energy Costs** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCGLOCKLIN	ONTP	

LD 741 proposed to require the Public Utilities Commission to use funds from the asset sale gain account to provide a subsidy to nonresidential electricity consumers.

LD 808 **An Act to Amend the Laws Governing the Service Territory of
Kennebunk Light and Power District** **DIED IN
CONCURRENCE**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAFOUNTAIN	ONTP MAJ	
MURPHY T	OTP MIN	

LD 808 proposed to amend the laws governing the service territory of Kennebunk Light and Power District to include the entire Town of Kennebunk and to override those provisions of the Maine Revised Statutes, Title 35-A that require the permission of the Public Utilities Commission for the extension of the district's service either by purchase of existing facilities or by construction of new facilities to portions of the Town of Kennebunk that it does not presently serve. The bill proposed to authorize the district to fund the cost of a lease or purchase of tangible assets through the use of a rate surcharge to be paid by its retail customers in the subject area.

LD 830 **An Act to Designate the Town of Topsham Communications Center
as a Public Safety Answering Point** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LESSARD	ONTP MAJ	
SMALL	OTP-AM MIN	

LD 830 proposed to designate the Topsham Communications Center in the Town of Topsham as a public safety answering point for the purposes of providing enhanced 9-1-1 service to certain communities within Sagadahoc County.

Committee Amendment "A" (H-103) was the minority report of the Joint Standing Committee on Utilities and Energy. This amendment proposed to add an appropriation section and a fiscal note to the bill.

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LD 840

An Act to Streamline Installation of Private Electrical Lines

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRACY	ONTP MAJ OTP MIN	

LD 840 proposed to provide that when a private line extension from a transmission and distribution utility's line is built in accordance with national, state and local codes as well as any transmission and distribution utility requirements contained in its filed tariffs, the transmission and distribution utility could not establish or require satisfaction of further conditions as a precondition to connecting the person's private line extension to the utility's system.

LD 869

An Act to Establish the Lineworker Safety Act

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOOLEY DAVIS P	ONTP	

LD 869 proposed to enact the Lineworker Safety Act. This bill proposed to require that under certain circumstances a minimum of 2 qualified lineworkers be present and working. The bill also proposed to prohibit a public utility or private contractor from allowing a lineworker to work more than 17 consecutive hours without a 7-hour rest period. Finally, the bill proposed to impose monetary penalties on utilities or contractors that violate this Act.

LD 884

An Act to Revise the Charter of the Ogunquit Sewer District

P & S 19

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEMONT	OTP-AM	S-77

LD 884 proposed to amend the charter of the Ogunquit Sewer District. The bill proposed to change the lien procedures of the district to enhance notification to those affected by liens for unpaid assessments, supplemental assessments or rates and to allow the district to avoid forfeiture of its liens in the event that properties subject to its liens become the subject of bankruptcy proceedings.

Committee Amendment "A" (S-77) proposed to make technical corrections to the bill, remove certain language that is redundant given provisions that already apply to the district by operation of general law, clarify that the district hold its own election to fill trustee positions if the Town of Ogunquit does not hold an annual election, clarify the terms of office of the trustees, provide that district officers are elected at the annual district meeting and increase the district's debt limit from \$30,000 to \$100,000.

Joint Standing Committee on Utilities and Energy

Enacted law summary

Private and Special Law 2001, chapter 19 amends the charter of the Ogunquit Sewer District. The law also changes the lien procedures governing liens for unpaid assessments, supplemental assessments or rates to provide for 2 notices to the landowners prior to foreclosure on liens.

The law also provides that the district must hold its own election to fill trustee positions if the Town of Ogunquit does not hold an annual election, clarifies the terms of office of the trustees, provides that district officers are elected at the annual district meeting and increases the district's debt limit from \$30,000 to \$100,000.

LD 892

An Act to Alleviate Heating Prices

ONTP

Sponsor(s)
MICHAEL

Committee Report
ONTP

Amendments Adopted

LD 892 was a concept draft pursuant to Joint Rule 208.

This bill proposed to direct the Executive Department, State Planning Office to inventory wood used for heating and provide information on installing, purchasing and using wood stoves.

LD 904

An Act to Amend the Charter of the Corinna Water District

**P & S 13
EMERGENCY**

Sponsor(s)
TOBIN J
DAVIS P

Committee Report
OTP-AM

Amendments Adopted
H-99

LD 904 proposed to create the Corinna Standard Water District.

Committee Amendment "A" (H-99) proposed to replace the bill. This amendment proposed to modernize the charter of the Corinna Water District using the Standard Water District Enabling Act. The amendment proposed to preserve certain provisions of the existing charter:

1. The authority of the district to take water from any source in the Town of Corinna;
2. The district's authorization to incur debt up to \$1,000,000, though the district is also granted the authority of a standard water district to increase this debt limit through the use of a referendum process; and
3. Exemption from review by the Public Utilities Commission of the district's management and allocation of funds received from the Department of Environmental Protection, except on request by the department.

Joint Standing Committee on Utilities and Energy

Enacted law summary

Private and Special Law 2001, chapter 13 modernizes the charter of the Corinna Water District using the Standard Water District Enabling Act. The amendment preserves certain provisions of the existing charter:

1. The authority of the district to take water from any source in the Town of Corinna;
2. The district's authorization to incur debt up to \$1,000,000, though the district is also granted the authority of a standard water district to increase this debt limit through the use of a referendum process; and
3. Exemption from review by the Public Utilities Commission of the district's management and allocation of funds received from the Department of Environmental Protection, except on request by the department.

This law was enacted as an emergency measure effective on May 8, 2001.

LD 910

An Act Concerning Private Line Extensions

PUBLIC 201

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY	OTP-AM MAJ	S-115
TRAHAN	ONTP MIN	

LD 910 proposed to establish standards for transmission and distribution utilities that charge customers for single-phase overhead line extensions. The standards would provide for amortization of the costs for up to 5 years and apportionment of costs among multiple users of the line. The bill also proposed to require the Public Utilities Commission to adopt rules establishing standards for the payment of the costs associated with single-phase overhead line extensions provided by a transmission and distribution utility to a customer. These rules would be major substantive rules and would be required to be submitted for legislative review by January 1, 2002.

Committee Amendment "A" (S-115) is the majority report of the Joint Standing Committee on Utilities and Energy. The amendment proposed to replace the bill and alter the title to more accurately reflect the content of the bill as amended. This amendment proposed to direct the Public Utilities Commission to adopt rules governing line extensions. The rules must establish standards for construction of private line extensions, terms and conditions for the transference of private lines to transmission and distribution utilities and requirements for apportioning among users the costs of single-phase overhead line extensions. The commission would also be directed to examine issues related to establishing minimum qualifications for persons who construct private line extensions.

Enacted law summary

Public Law 2001, chapter 201 directs the Public Utilities Commission to adopt rules governing line extensions. The rules must establish standards for construction of private line extensions, terms and conditions for the transference of private lines to transmission and distribution utilities and requirements for apportioning among users the costs of single-phase overhead line extensions. The commission is also directed to examine issues related to establishing minimum qualifications for persons who construct private line extensions.

Joint Standing Committee on Utilities and Energy

LD 930

**An Act Authorizing the Public Utilities Commission to Award
Restitution to Customers Damaged by Inferior Utility Service**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE W CARPENTER	ONTP MAJ OTP-AM MIN	

LD 930 proposed to authorize the Public Utilities Commission to order restitution up to the level possible in Small Claims Court to customers who sustain damages resulting from utility service.

Committee Amendment "A" (H-402) was the minority report of the Committee. The amendment proposed to replace the bill and to change the title to reflect the content of the amendment. This amendment proposed to authorize the commission to investigate a complaint regarding damages caused by an unreasonable utility practice. The amendment also proposed to establish a mediation program at the commission to assist customers in resolving such complaints.

LD 931

An Act to Provide for the Security of Certain Utility Information

**PUBLIC 135
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE W	OTP-AM	H-130

LD 931 proposed to allow the Public Utilities Commission to designate as confidential information certain information about public utility operations and facilities and to share that information with state agencies such as the Maine Emergency Management Agency in the Department of Defense, Veterans and Emergency Management, the Department of Public Safety and the State Planning Office.

Committee Amendment "A" (H-130) proposed to replace the bill. This amendment proposed:

1. To authorize the Public Utilities Commission to issue an order designating certain information confidential if the release of the information could compromise the security of a utility to the detriment of the public interest;
2. To allow access to the information by discovery in the context of commission proceedings but to allow the commission to limit discovery if necessary to protect the public interest;
3. To allow the commission to release or direct the release of the information to other state agencies for public health and safety purposes but to require notice to the affected utility; and
4. To allow agencies receiving the information to release the information to others but requires notice, through the commission, to the utility, except in emergency situations;

Joint Standing Committee on Utilities and Energy

Enacted law summary

Public Law 2001, chapter 135:

1. Authorizes the Public Utilities Commission to issue an order designating certain information confidential if the release of the information could compromise the security of a utility to the detriment of the public interest;
2. Allows access to the information by discovery in the context of commission proceedings but allows the commission to limit discovery if necessary to protect the public interest;
3. Allows the commission to release or direct the release of the information to other state agencies for public health and safety purposes but requires notice first to the affected utility; and
4. Allows agencies receiving the information to release the information to others but requires notice, through the commission, to the utility, except in emergency situations.

This law was enacted as an emergency measure effective on May 14, 2001.

LD 934	An Act to Allow Timely Public Comment on Matters Heard Before Sanitary Districts	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAND	ONTP	

LD 934 proposed to require a sewer district or a sanitary district to provide an opportunity for the public to comment before the board of trustees takes a final vote on important matters affecting the users of the district.

LD 959	An Act to Change the Assessment for Sprinkler Systems to a Per-use basis	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAEL	ONTP	

LD 959 proposed to provide that beginning January 1, 2002, the charge a water utility collects from a customer for water service to support the operation of a private fire protection system be based on actual metered water use and not potential use.

Joint Standing Committee on Utilities and Energy

LD 1000

An Act to Promote Consistency in Dialing Cellular and Landline Telephone Numbers

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOUGLASS	ONTP	

LD 1000 proposed to require a provider of cellular or wireless telecommunications service in this State to configure its system so that a caller making an intrastate call would complete the call by dialing the same number of digits as the caller would dial if the caller were using telephone utility landline service.

LD 1059

An Act Concerning Private Line Extensions Provided by Central Maine Power Company

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TURNER	ONTP MAJ OTP MIN	

LD 1059 proposed to:

1. Void the Public Utilities Commission order of November 10, 1999 in Docket Number 99-042 and reinstate Central Maine Power Company's terms and conditions relating to single-phase overhead line extensions in effect prior to the order;
2. Require Central Maine Power Company to connect to a single-phase overhead line constructed by or at the expense of a customer if that line meets all relevant safety and electrical standards for connection to the system. It also proposed to require Central Maine Power Company, if it acquires ownership of such line, to pay the customer at whose expense the line was constructed full and fair compensation for the costs of construction and all reasonable repair and maintenance costs paid for by the customer prior to acquisition by Central Maine Power Company;
3. Require the commission to open a proceeding to establish a mechanism under which Central Maine Power Company would reimburse customers who were charged for line extensions pursuant to the revised terms and conditions approved by the commission in its order of November 10, 1999 in Docket Number 99-042. It also proposed to require the commission to determine how the costs of reimbursement and of future line extensions and of reimbursing customers for the costs of line extensions paid for by customers are to be recovered through rates.

LD 1121

An Act to Allow Flexibility in Regulation of Telephone Utilities

PUBLIC 137

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE W	OTP-AM	H-165

Joint Standing Committee on Utilities and Energy

LD 1121 proposed to grant the Public Utilities Commission the authority to exempt a telephone utility or a group of telephone utilities from any provision of the Maine Revised Statutes, Title 35-A if the commission finds that granting the exemption will adequately maintain standards of safety, customer protection and the public interest. The commission would be required to adopt standards and procedures for granting exemptions by rule and to inform the joint standing committee of the Legislature having jurisdiction over utility matters of its activities.

Committee Amendment "A" (H-165) proposed to replace the bill and accomplish the following:

1. To leave in place provisions of law that authorize the Public Utilities Commission to grant exemptions to telephone utilities from the Maine Revised Statutes, Title 35-A, sections 307 and 310 and chapters 9 and 11 but modify the provisions to make clear that the commission, before granting exemptions, must find that granting the exemptions will not have a negative impact on competition;
2. To provide additional authority to the Public Utilities Commission to grant exemptions from Title 35-A, sections 304 and 504, provided similar findings are made; and
3. To require the commission to report annually to the Joint Standing Committee on Utilities and Energy on its activities in granting exemptions to telephone utilities from provisions of law.

Enacted law summary

Public Law 2001, chapter 137 accomplishes the following:

1. It leaves in place provisions of law that authorize the Public Utilities Commission to grant exemptions to telephone utilities from the Maine Revised Statutes, Title 35-A, sections 307 and 310 and chapters 9 and 11 but modifies the provisions to make clear that the commission, before granting exemptions, must find that granting the exemptions will not have a negative impact on competition;
2. It provides additional authority to the Public Utilities Commission to grant exemptions from Title 35-A, sections 304 and 504, provided similar findings are made; and
3. It requires the commission to report annually to the Joint Standing Committee on Utilities and Energy on its activities in granting exemptions to telephone utilities from provisions of law; and

LD 1139

An Act to Ensure Access to Energy Markets for Maine's Small Hydroelectric Facilities

CARRIED OVER

Sponsor(s)
EDMONDS

Committee Report

Amendments Adopted

LD 1139 proposes to require transmission and distribution utilities to purchase power from hydroelectric energy facilities with a capacity of less than 5 megawatts at the average wholesale market clearing price for the period during which the electricity is metered.

Joint Standing Committee on Utilities and Energy

LD 1162

An Act to Ensure Telecommunications Protections for Deaf and Hard-of-hearing People

PUBLIC 377

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT SAVAGE W	OTP-AM	S-227

Under current law, telephone utilities must provide a 70% rate reduction for intrastate toll calls made on lines used for making calls from certified deaf, hard-of-hearing or speech-impaired persons who must rely on teletypewriters for residential telephone communications. The 70% rate reduction also applies to calls using the state telecommunications relay service. Upon request, this discount is also provided to any noncertified user making calls to a certified user, provided the noncertified user informs the local exchange carrier or toll provider of the relevant billed calls made during each billing period.

LD 1162 proposed to extend these same discounts to charges imposed by cellular or wireless telecommunications service providers.

Committee Amendment "A" (S-227) proposed to replace the bill. This amendment proposed to establish an equal access program to ensure that telecommunications services are available to deaf, hard-of-hearing and speech-impaired consumers at a cost that is reasonably comparable to the cost of such services to other telephone customers. The equal access program would be established in the Division of Deafness within the Department of Labor. The program would provide a 70% rebate of the cost of those calls made using wireless or cellular services that are presently provided a 70% discount when made over landline services. The program would be funded by an assessment on wireless and cellular service providers.

The program would be repealed October 31, 2005.

The amendment also proposed to add equipment necessary to use short message services or text message services to the definition of "specialized customer telecommunications equipment" for the purposes of the telecommunications equipment fund. This will would allow that fund to be used to purchase such equipment for deaf, hard-of-hearing or speech-impaired persons.

This amendment also proposed to add a representative of a wireless or cellular service provider to the membership of the Telecommunications Relay Service Advisory Council.

The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 377 establishes an equal access program to ensure that telecommunications services are available to deaf, hard-of-hearing and speech-impaired consumers at a cost that is reasonably comparable to the cost of such services to other telephone customers. The equal access program is established in the Division of Deafness within the Department of Labor. The program provides a 70% rebate of the cost of those calls made using wireless or cellular services that are presently provided a 70% discount when made over landline services. The program is funded by an assessment on wireless and cellular service providers.

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The program is repealed October 31, 2005.

The law also adds equipment necessary to use short message services or text message services to the definition of "specialized customer telecommunications equipment" for the purposes of the telecommunications equipment fund. This will allow that fund to be used to purchase such equipment for deaf, hard-of-hearing or speech-impaired persons.

The law also adds a representative of a wireless or cellular service provider to the membership of the Telecommunications Relay Service Advisory Council.

LD 1229 **An Act to Assist the State's Ski Industry through the Provision of Special Electric Rate Contracts** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCGLOCKLIN FERGUSON	ONTP	

LD 1229 proposed to prohibit the use of different engineering, equipment, fuel and other cost assumptions for potential special rate contract customers who are similarly situated and prohibit unreasonable discrimination for or against particular customers. This bill also proposed to require renewal of special rate contracts when, if the alternative electricity or energy source originally available to the customer had been relied on, it would still be available to the customer following the expiration of the original special rate contract.

LD 1297 **An Act to Ensure Proper Funding of the Public Utilities Commission** **PUBLIC 136
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE W	OTP-AM	H-121

LD 1297 proposed to authorize the Public Utilities Commission to release funds designated for salaries and to use them for other commission expenses and to make all funds that were budgeted but unused in fiscal year 2000-01 available for use in the subsequent 2 fiscal years. The bill also proposed to increase the public utilities assessment for fiscal years 2001-02 and 2002-03.

Committee Amendment "A" (H-121) proposed to add a fiscal note to the bill.

Joint Standing Committee on Utilities and Energy

Enacted law summary

Public Law 2001, chapter 136 authorizes the Public Utilities Commission to release funds designated for salaries and use them for other commission expenses and to make all funds that were budgeted but unused in fiscal year 2000-01 available for use in the subsequent 2 fiscal years. The law also increases the public utilities assessment for fiscal years 2001-02 and 2002-03.

This law was enacted as an emergency measure effective on May 14, 2001.

LD 1322

An Act to Increase the Borrowing Capacity of the Topsham Sewer District

**P & S 20
EMERGENCY**

Sponsor(s)
LESSARD
SMALL

Committee Report
OTP-AM

Amendments Adopted
H-228

LD 1322 proposed to increase the borrowing capacity of the Topsham Sewer District from \$1,000,000 to \$2,000,000.

Committee Amendment "A" (H-228) proposed to:

1. Remove obsolete language from the Topsham Sewer District charter;
2. Remove language from the Topsham Sewer District charter relating to approval in a municipal town meeting of the issuance of debt by the district in excess of the debt limit;
3. Insert a new provision in the charter allowing the district through a local referendum process to increase its debt limit; and
4. Make the bill subject to local referendum approval.

Enacted law summary

Private and Special Law 2001, chapter 20:

1. Increases the borrowing capacity of the Topsham Sewer District from \$1,000,000 to \$2,000,000;
2. Removes obsolete language from the Topsham Sewer District charter;
3. Removes language from the Topsham Sewer District charter relating to approval in a municipal town meeting of the issuance of debt by the district in excess of the debt limit;

Joint Standing Committee on Utilities and Energy

4. Inserts a new provision in the charter allowing the district through a local referendum process to increase its debt limit; and
5. Makes the law subject to local referendum approval.

This law was enacted as an emergency measure effective on May 15, 2001.

LD 1333

An Act to Permit Consumer-owned Water Utilities to Exercise Local Control Regarding Matters within the Jurisdiction of the Public Utilities Commission

DIED BETWEEN BODIES

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE W	OTP-AM MAJ	
DAGGETT	ONTP MIN	

LD 1333 proposed to permit consumer-owned water utilities to exercise local control by opting out of regulation by the Public Utilities Commission with respect to their rates, terms of service and business affairs.

Committee Amendment "A" (H-307) proposed to clarify certain portions of the bill and make clear the rights of action and appeal that are available with respect to actions or failures of action by a locally governed water district. This amendment also proposed to replace that portion of the bill that made the election of a consumer-owned water district to become a locally governed water district subject to approval by a majority of the municipalities within the district. Under this amendment, the election would be subject to referendum approval by the voters within the district. This amendment also proposed to provide that a locally governed water district must allocate as a percentage of gross revenue its charges for water service for fire protection according to the provisions of commission rules governing such cost allocation for consumer-owned water utilities, or, if no rules exist, based on the results of a full allocation study of the district's system.

LD 1385

An Act to Amend the Laws Regarding When the Public Utilities Commission Must Give Notice of its Proceedings

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE W	ONTP	

LD 1385 proposed to remove the requirement that the Public Utilities Commission give notice of any public proceeding at which the commission could adopt a position that it would take in a federal proceeding.

Joint Standing Committee on Utilities and Energy

LD 1412

An Act Relating to the Transfer of Certain Privileges Bestowed by the Legislature upon Great Northern Paper, Inc. to Great Northern Energy, LLC **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAUD MH STANLEY		

LD 1412 proposed to provide that the rights and privileges held by Great Northern Paper, Inc. that relate to the location, construction, operation or maintenance of dams used in the generation of electricity may be transferred to Great Northern Energy, LLC upon the acquisition by Great Northern Energy of the dams.

LD 1442

An Act to Create the Boothbay Region Water District

**P & S 15
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY	OTP-AM MAJ ONTP MIN	S-66

LD 1442 proposed to create the Boothbay Region Water District.

Committee Amendment "A" (S-66), the majority report, proposed to replace the bill. This amendment proposed to create the Boothbay Region Water District, subject to referendum approval, and require the Town of Boothbay Harbor and the East Boothbay Water District to sell their water-related assets to the Boothbay Region Water District for the consideration of the district assuming the liabilities and responsibilities associated with the existing water systems.

Enacted law summary

Private and Special Law 2001, chapter 15 creates the Boothbay Region Water District, subject to referendum approval, and requires the Town of Boothbay Harbor and the East Boothbay Water District to sell their water-related assets to the Boothbay Region Water District for the consideration of the district assuming the liabilities and responsibilities associated with the existing water systems.

This law was enacted as an emergency measure effective on May 9, 2001.

Joint Standing Committee on Utilities and Energy

LD 1467

**An Act to Facilitate the Implementation of the Enhanced 9-1-1
Emergency System**

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY D	OTP-AM	H-442 H-687 GOODWIN S-252 MARTIN

LD 1467 proposed the following.

1. To increase the telephone surcharge from 32¢ to 58¢ to fund the E-9-1-1 program;
2. To standardize the surcharge remittance process for all telecommunications providers;
3. To clarify that the Emergency Services Communication Bureau owns the E-9-1-1 databases;
4. To authorize the bureau to coordinate with telephone companies and municipalities for maintenance of the system following implementation;
5. To provide that Emergency Medical Dispatch, or EMD, is an essential part of the E-9-1-1 service to the caller;
6. To repeal the payment process utilized by phone companies following the surcharge sunset period; and
7. To provide the bureau authority to ensure that E-9-1-1 calls are answered by public safety answering points should circumstances require the bureau to act to provide public safety answering points coverage.

Committee Amendment "A" (H-442) proposed:

1. To remove the emergency preamble and emergency clause from the bill;
2. To remove provisions of the bill requiring the Emergency Services Communications Bureau to establish emergency medical dispatch as a component of the statewide E-9-1-1 system;
3. To clarify the confidentiality of all E-9-1-1 databases, wherever located;
4. To remove the portion of the bill that authorizes the Emergency Services Communications Bureau to provide call answering coverage in areas of the State that have decided not to participate in the E-9-1-1 system;
5. To add a provision to the bill that provides that the bureau is not required to provide call answering coverage in counties or municipalities that choose not to participate in the E-9-1-1 system;
6. To establish the E-9-1-1 surcharge at 50¢ per month per line. The current surcharge is 32¢. The bill proposed 58¢;
7. To remove the portion of the bill that proposed to repeal Public Law 1999, chapter 651, section 4; and
8. To add an allocation section and a fiscal note to the bill.

Joint Standing Committee on Utilities and Energy

Senate Amendment "C" (S-306) proposed to specify that the State Police may provide facilities or other assistance for the operation of public safety answering points.

Senate Amendment "A" (S-252) proposed to allow Hancock County and Aroostook County to retain any E-9-1-1 surcharge collected in those counties beyond whatever has been spent.

Senate Amendment "B" (S-292) proposed to provide that the 50¢ surcharge reverts back to 32¢ on June 30, 2002 unless affirmative action is taken by the Legislature to change the law.

House Amendment "A" to Committee Amendment "A" (H-687) proposed to require the Joint Standing Committee on Utilities and Energy to conduct a State Government evaluation of the enhanced 9-1-1 emergency system in 2001.

Senate Amendment "A" to Committee Amendment "A" (S-315) proposed to provide that the 50¢ surcharge reverts to 32¢ 90 days after adjournment of the First Regular Session of the 121st Legislature. This amendment also proposed to reallocate review under the State Government Evaluation Act of the Emergency Services Communications Bureau within the Department of Public Safety from the joint standing committee of the Legislature having jurisdiction over criminal justice matters to that having jurisdiction over utilities matters.

LD 1538 An Act to Promote Retail Electricity Competition ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENNETT	ONTP	

LD 1538 proposed to amend certain provisions of Maine's electric utility restructuring laws to:

1. Modify the surety bond requirements imposed on competitive electricity providers; and
2. Require that the Public Utilities Commission approve only those standard offers after July 1, 2001 that are at least one full year in duration and that provide a known and fixed price to customers to provide the full requirement energy and capacity needs of the customer group.

LD 1618 An Act to Review Utility Easements on a Periodic Basis ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY	ONTP	

LD 1618 proposed to require a transmission and distribution utility that owns transmission or distribution facilities located on an easement over property of another person to provide to the owner of the property notice of any change in the ownership of the facilities located on the easement and any modification of the facilities or use of the facilities that involves a permanent increase in the voltage carried over the facilities. It also proposed to require the utility at least once every 50 years and, for facilities constructed prior to the year 2001, at least once prior to January 1,

Joint Standing Committee on Utilities and Energy

2003, to offer the owner of the property an opportunity to review with the utility the current use of the facilities and any changes in the facilities or their use over the preceding 50 years.

LD 1661 **An Act to Amend the Charter of the Portland Water District to Permit the Extension of Water and Wastewater Service to the Town of Raymond** **P & S 25
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRUNO TURNER	OTP-AM	H-166

LD 1661 proposed to amend the charter of the Portland Water District by adding the Town of Raymond as a member of the district in order to allow the extension of water and wastewater services within the town.

Committee Amendment "A" (H-166) proposed to add a mandate preamble to the bill and a transition clause relating to the current trustees of the Portland Water District. The amendment also proposed to incorporate a change made by Private and Special Law 2001, chapter 7 that changes the date of the regular municipal elections from May to November.

Enacted law summary

Private and Special Law 2001, chapter 25 amends the charter of the Portland Water District to add the Town of Raymond as a member of the district.

This law was enacted as an emergency measure effective on May 9, 2001.

LD 1735 **An Act to Amend the Charter of the Vinalhaven Water District** **P & S 21
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLENIK	OTP-AM	H-269

LD 1735 proposed to amend the charter of the Vinalhaven Water District.

Committee Amendment "A" (H-269) proposed to make technical changes to the bill and remove language that makes certain service of the Vinalhaven Water District discretionary.

Enacted law summary

Private and Special Law 2001, chapter 21 amends the charter of the Vinalhaven Water District.

Joint Standing Committee on Utilities and Energy

This law was enacted as an emergency measure effective on May 16, 2001.

LD 1798

An Act to Amend the Charter of the Buckfield Village Corporation

**P & S 26
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GAGNE FERGUSON	OTP-AM	H-535

LD 1798 proposed to allow the voters of the Buckfield Village Corporation to determine that the assessors of the corporation appoint some or all of the other officers. It also proposed to allow a person to be appointed to an office who is not a resident of the corporation.

Committee Amendment "A" (H-535) proposed to make technical changes to clarify the language of the bill.

Enacted law summary

Private and Special Law 2001, chapter 26 allows the voters of the Buckfield Village Corporation to determine that the assessors of the corporation appoint some or all of the other officers. It also allows a person to be appointed to an office who is not a resident of the corporation.

This law was enacted as an emergency measure effective on May 31, 2001.

LD 1820

An Act to Amend the Charter of the Limestone Water and Sewer District

**P & S 34
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
YOUNG	OTP-AM	H-712

LD 1820 proposed to amend the Charter of the Limestone Water and Sewer District by updating the procedures for filing a lien for nonpayment of sewer charges.

Committee Amendment "A" (H-712) proposed to remove the language that defines a mobile home as real estate and requires the treasurer of the district to provide a 2nd notice to parties named on the lien certificate and to each record holder no fewer than 30 days and no more than 45 days prior to the foreclosure of the mortgage created by the lien. This amendment also proposed to add a mandate preamble, emergency preamble and emergency clause to the bill.

Enacted law summary

Joint Standing Committee on Utilities and Energy

Private and Special Law 2001, chapter 34 amends the Charter of the Limestone Water and Sewer District by updating the procedures for filing a lien for nonpayment of sewer charges. It requires the treasurer of the district to provide a 2nd notice to parties named on the lien certificate and to each record holder no fewer than 30 days and no more than 45 days prior to the foreclosure of the mortgage created by the lien.

This law was enacted as an emergency measure effective on June 20, 2001.

LD 1828

An Act to Clarify the Laws Regarding the Extension of Water and Wastewater Service to the Town of Raymond

**P & S 32
EMERGENCY**

Sponsor(s)
BRUNO

Committee Report

Amendments Adopted
S-343 FERGUSON

LD 1828 proposed to correct an inconsistency between the State's election laws that require a certain notice period before holding a special town meeting and the recently adopted amendment to the charter of the Portland Water District that adds the Town of Raymond to the district and requires the town to hold a special town meeting to participate in the election of a trustee. Because the amendment to the charter was signed into law on May 25, 2001 on an emergency basis as Private and Special Law 2001, chapter 25 and the date of election of one of the district's trustees is scheduled for June 11, 2001, the Town of Raymond can not comply with the law without violating the time frames of the State's election laws. This bill proposed to correct the inconsistency by not requiring the Town of Raymond to participate in the June 2001 trustee election.

The bill also proposed to clarify that the Town of Raymond is not required to hold a vote under the Maine Revised Statutes, Title 22, section 2653, the authorization of fluoridation, to receive water from the Portland Water District.

Because the original bill would not take effect until after the Portland Water District trustee election in June, 2001, **Senate Amendment "A" (S-343)** proposed to specify that the bill, which exempts the Town of Raymond from participating in the Portland Water District trustee election, applies on a retroactive basis.

Enacted law summary

Private and Special Law 2001, chapter 32, which was enacted without reference to committee, corrects an inconsistency between the State's election laws that require a certain notice period before holding a special town meeting and the recently adopted amendment to the charter of the Portland Water District that adds the Town of Raymond to the district and requires the town to hold a special town meeting to participate in the election of a trustee. Because the amendment to the charter was signed into law on May 25, 2001 on an emergency basis as Private and Special Law 2001, chapter 25 and the date of election of one of the district's trustees is scheduled for June 11, 2001, the Town of Raymond can not comply with the law without violating the time frames of the State's election laws. This bill corrects the inconsistency by not requiring the Town of Raymond to participate in the June 2001 trustee election.

The law also clarifies that the Town of Raymond is not required to hold a vote under the Maine Revised Statutes, Title 22, section 2653, the authorization of fluoridation, to receive water from the Portland Water District.

Joint Standing Committee on Utilities and Energy

Because the original bill would not take effect until after the Portland Water District trustee election in June, 2001, the law applies on a retroactive basis.

This law was enacted as an emergency measure effective on June 14, 2001.

SP 566

JOINT ORDER, Relative to Blue Ribbon Commission on Electric Energy Production, Demand and Cost

**DIED ON
ADJOURNMENT**

Sponsor(s)

Committee Report

Amendments Adopted

SP 566 proposed to create the Blue Ribbon Commission on Electric Energy Production, Demand and Cost. The commission would be directed to study developments in the Maine electric energy market since deregulation and report to the Legislature its findings. The commission would be directed to report on the issues studied with any recommended legislation to the Second Regular Session of the 120th Legislature no later than January 1, 2002.

Committee Amendment "A" ((S-138)) proposed to direct that a subcommittee of the Joint Standing Committee on Utilities and Energy conduct a study of the electric industry. The subcommittee would be required to report its findings together with any recommendations to the Second Regular Session of the 120th Legislature no later than January 1, 2002.

HP 719

JOINT ORDER, Relative to Special Legislative Oversight Committee for Regional Electricity Issues

ONTP

Sponsor(s)

Committee Report

Amendments Adopted

HP 719 proposed to create a Special Legislative Oversight Committee for Regional Electricity Issues. The committee would be directed to study and make recommendations concerning:

1. The design and operation of the New England regional electricity market;
2. The appropriate size and scope of a regional transmission organization to be created to serve the needs of Maine's consumers of electricity;
3. The extent to which the State's consumers of electricity may be harmed by anticompetitive behavior in the energy market and ways the Legislature may act to protect consumers; and
4. Related matters that the committee considers appropriate. The committee would be directed to submit a report with recommendations and any accompanying legislation to the Joint Standing Committee on Utilities and Energy during the Second Regular Session of the 120th Legislature by January 15, 2002.

Joint Standing Committee on Utilities and Energy

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